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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/045,698	01/10/2002	Yoshifumi Tanimoto	81800.0177	9845

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EXAMINER	
BURGESS, BARBARA N	
ART UNIT	**PAPER NUMBER**
2157	

DATE MAILED: 11/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/045,698	TANIMOTO, YOSHIFUMI	
	Examiner	Art Unit	
	Barbara N. Burgess	2157	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *07 September 2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-4 and 8-20* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-4 and 8-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

This Office Action is in response to Amendments filed September 7, 2005. Claims 1-4 and 8-20 are presented for examination. Claims 5-7 have been cancelled as requested by Applicant.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1-4, 8-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kihl et al. (US Patent No. 6,222,536 B1) in view of Zakurdaev et al. (hereinafter "Zak", US Patent Publication 2002/0073182 A1).

As per claims 1, 8, Kihl discloses a relay server comprising:

- Communicating means and device for communicating with a plurality of network devices (column 1, lines 55-58);
- Connection information holding means and device for holding connection information (column 3, lines 49-54);
- Wherein the communicating means and device carries out communication with the network devices in accordance with the connection information, and

relays data between the network devices in accordance with connection demand information generated gom one of the plurality of network devices (column 4, lines 12-45).

Kihl does not explicitly disclose:

- Communicating with a plurality of network devices, including a first network device in a first LAN and second network device in a second LAN;
- A first connection between the relay server and the first network device and a second connection between the relay server and the second network device;
- Communication means carried between the first and second network devices busing the first and second connections, and relays between the first and second network devices in accordance with connection demand information generated from the first and second network devices.

However, in an analogous art, Zak discloses a gateway (relay server) coupled to a wireless terminal by way of a wireless network. The gateway is also coupled to a user terminal by way of a telephone network. The gateway is coupled to communicate with a plurality of ISP's through a data network. The user terminal generates a request and transmits it to the gateway. The gateway sends a signal to the ISP to handle the request. The response from the ISP is sent to the gateway that transmits it to the user terminal (paragraphs [0032-0037]).

Therefore, one of ordinary skill in the art at the time the invention was made would have found it obvious to incorporate or implement Zak's relay server connected to

first and second network devices in Kihl's system in order to send information between all terminals despite the network.

As per claim 2, Kihl discloses a communication system comprising:

- a plurality of network devices (column 1, lines 55-58);
- A relay server connected to the plurality of network devices via a network, wherein a first network device of the plurality of network devices establishes a communication path with the relay server, and generates a connection demand for communication with a second network device of the plurality of network devices to the relay sever when communicating with the second network device (column 3, lines 3-22);
- the relay server relays the communication between the first and Second network devices by using a communication path established in advance in accordance with the connection demand from the first network device (column 3, lines 32-42).

Kihl does not explicitly disclose:

- Communicating with a plurality of network devices, including a first network device in a first LAN and second network device in a second LAN;
- A first connection between the relay server and the first network device and a second connection between the relay server and the second network device;
- Communication means carried between the first and second network devices busing the first and second connections, and relays between the first and second

network devices in accordance with connection demand information generated from the first and second network devices.

However, in an analogous art, Zak discloses a gateway (relay server) coupled to a wireless terminal by way of a wireless network. The gateway is also coupled to a user terminal by way of a telephone network. The gateway is coupled to communicate with a plurality of ISP's through a data network. The user terminal generates a request and transmits it to the gateway. The gateway sends a signal to the ISP to handle the request. The response from the ISP is sent to the gateway that transmits it to the user terminal (paragraphs [0032-0037]).

Therefore, one of ordinary skill in the art at the time the invention was made would have found it obvious to incorporate or implement Zak's relay server connected to first and second network devices in Kihl's system in order to send information between all terminals despite the network.

As per claims 3, Kihl discloses the communication system according to claim 2 wherein connection to the first network device from outside the LAN is limited (column 3, lines 3-8).

As per claim 4, Kihl does not explicitly disclose the communication system according to claim 2 wherein the first network device is connected to the relay server via a gateway device having an address converting function.

However, in analogous art, Zak discloses a gateway device that forwards all request and receives and forwards DHCP responses (paragraph [0013]).

Therefore, one of ordinary skill in the art at the time the invention was made would have found it obvious to implement or incorporate Zak's gateway in Kihl's system in order to forward requests to the DHCP server.

As per claim 9, Kihl discloses the relay server according to claim 8, wherein a connection to the first network device from outside the LAN is limited (column 3, lines 3-8).

As per claim 10, Zak discloses the relay server according to claim 8, wherein a first network device of the plurality of network devices is connected to the relay sever via a gateway device having an address converting function. However, in analogous art, Zak discloses a gateway device that forwards all request and receives and forwards DHCP responses (paragraph [0013]).

Therefore, one of ordinary skill in the art at the time the invention was made would have found it obvious to implement or incorporate Zak's gateway in Kihl's system in order to forward requests to the DHCP server.

As per claim 11, Kihl discloses the relay server according to claim 8, wherein the relay server is connected to the Internet (column 1, lines 16-20, 50-57).

As per claim 12, Kihl discloses the relay server according to claim 8, wherein the relay server includes a global IP address (column 3, lines 5-7).

As per claim 13, Kihl discloses the relay server according to claim 8, wherein the connection information includes a user ID and a password (column 7, lines 23-26).

As per claim 14, Kihl discloses the relay server according to claim 1, wherein the relay server is connected to the Internet. (column 1, lines 16-20, 50-57).

As per claim 15, Kihl discloses the relay server according to claim 1, wherein the relay server includes a global IP address (column 3, lines 5-7).

As per claim 16, Kihl discloses the relay server according to claim 1, wherein the connection information includes a user ID and a password (column 7, lines 23-26).

As per claim 17, Kihl discloses a method for communicating between a plurality of network devices and a relay server comprising:

- Establishing a communication path between each of a plurality of network devices and a relay server (column 1, lines 55-58);
- Demanding a connection from one of the plurality of network devices to at least one other network device of the plurality of network devices using the relay server (column 3, lines 16-22);

- Relaying a communication between the one network device and

the at least one other network device using the held communication path between the one network device and the relay server and the held communication path between the at least one other network device and the relay server (column 3, lines 32-40).

A per claim 18, Kihl discloses the communication method according to claim 17 further comprising limiting the connection to the network devices from an outer network (column 3, lines 3-10).

As per claim 19, Zak discloses the communication method according to claim 17 further comprising connecting the network devices to the relay server via a gateway device having an address converting function.
However, in analogous art, Zak discloses a gateway device that forwards all request and receives and forwards DHCP responses (paragraph [0013]).

Therefore, one of ordinary skill in the art at the time the invention was made would have found it obvious to implement or incorporate Zak's gateway in Kihl's system in order to forward requests to the DHCP server.

As per claim 20, Kihl discloses the communication method according to claim 17 further comprising connecting the relay server to the Internet (column 1, lines 15-20, 50-56).

Response to Arguments

3. Applicant's have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Barbara N. Burgess whose telephone number is (571) 272-3996. The examiner can normally be reached on M-F (8:00am-4:00pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Ettinene can be reached on (571) 272-4001. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Barbara N Burgess
Examiner
Art Unit 2157

November 28, 2005

ARIO ETIENNE
PRIMARY EXAMINER